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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,684	11/09/2001	Robin P. Yergenson	10012411-1	9702

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

FOX, CHARLES A

ART UNIT	PAPER NUMBER
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3652

DATE MAILED: 04/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/044,684

Applicant(s)

YERGENSON, ROBIN P.

Examiner

Charles A. Fox

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-19 is/are allowed.
- 6) ☒ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13 and 15-19 rejected under 35 U.S.C. 103(a) as being unpatentable over Woodruff et al. in view of the admitted prior art. In regards to claim 13 Woodruff et al. US 5,607,275 teach an object retention system on a rotatable carousel comprising:

a latching hub (34) with a vertical axis of rotation (36) and a perimeter (not numbered) with a plurality of peripheral surfaces;

at least one object (60) within the carousel, said object radially and outwardly disposed in relation to said perimeter and having a latch reciprocal (172) for mating with said hub;

at least one retainer (140) adjacent each object configured to maintain contact between the latch reciprocal and the latching hub. Woodruff does not teach the object as being a toner cartridge. The admitted prior art teaches a rotatable carousel for holding toner cartridges. It would have been obvious to one of ordinary skill in the art, at the time of invention to provide the device taught by Woodruff et al. with the means to hold a toner cartridge as taught by the prior art in order for a printing device to store toner in various colors as is well known in the art.

In regards to claim 15 Woodruff et al. also teach the latch reciprocal as being a prominence on the object and the latching hub has a depression (170) for receiving said prominence.

Regarding claims 16 and 17 Woodruff et al. further teach the retainer which form part of the latching hub is springable to permit insertion and removal of said object.

In regards to claims 18 and 19 Woodruff et al. further disclose the latching hub is substantially coextensive with the objects and that the latch reciprocal is mounted centrally between the ends of the object.

Claims 1,3-8 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woodruff et al. in view of Tianello et al.

In regards to claim 1 Woodruff et al. teaches an object retention system on a rotatable carousel comprising:

- a latching hub (34) with a vertical axis of rotation (36) and a perimeter (not numbered);

- at least one object (60) within the carousel, said object radially and outwardly disposed in relation to said perimeter and having a latch reciprocal (172) for mating with said hub;

- at least one retainer (140) adjacent each object configured to maintain contact between the latch reciprocal and the latching hub. Woodruff et al. do not teach the hub as being a unitary structure. Tianello et al. US 5450160 teaches a magazine comprising a unitary hub structure (10) for holding a plurality of objects radially about the hubs outer circumference. It would have been obvious to one of ordinary skill in the

art, at the time of invention to provide the device taught by Woodruff et al. with a unitary hub as taught by Tianello et al. in order to lessen manufacturing costs associated with said hub as well as preventing the hub from coming apart during use.

In regards to claim 3 Woodruff et al. also teach the latch reciprocal as being a prominence on the object and the latching hub has a depression (170) for receiving said prominence.

Regarding claims 4 and 5 Woodruff et al. further teach the retainer which form part of the latching hub is springable to permit insertion and removal of said object.

In regards to claims 6 and 7 Woodruff et al. further teach the latching hub is substantially coextensive with the objects and that the latch reciprocal is mounted centrally between the ends of the object.

Regarding claim 8 Woodruff et al. teach a method of securing objects in a rotatable carousel comprising the steps:

- mounting a latching hub about the axis of rotation of the carousel;
- providing a retainer within said carousel;
- inserting an object having a latch reciprocal into the carousel;
- mating the latch reciprocal with the hub such that the object is held outward of the perimeter of the hub;

wherein the retainer maintains contact between the latch reciprocal and the hub. Woodruff et al. do not teach the hub as being a unitary structure. Tianello et al. teach a magazine comprising a unitary hub structure (10) for holding a plurality of objects radially about the hubs outer circumference. It would have been obvious to one of

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ordinary skill in the art, at the time of invention to provide the device taught by Woodruff et al. with a unitary hub as taught by Tianello et al. in order to lessen manufacturing costs associated with said hub as well as preventing the hub from coming apart during use.

Regarding claim 10 Woodruff et al. also teach the step of providing each latch reciprocal with a prominence and forming a depression in the hub to receive said prominence.

In regards to claims 11 and 12 Woodruff et al. also teach the step of inserting the object into the hub further comprises the steps:

the object displaces a retainer which forms part of the hub, permitting the latch reciprocal to partially bypass the hub;

the retainer returning to lock the latch reciprocal against the hub.

Claims 2 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woodruff et al. and Tianello et al. as applied to claims 1 and 8 above, and further in view of Dodd et al. Woodruff et al. and Tianello et al. teach the limitations of claims 1 and 8 as above, they do not teach a latch reciprocal prominence as being on the hub. Dodd et al. US 3,809,263 teach a rotatable carousel for retaining objects wherein said carousel and said objects both have latch reciprocals that consists of a prominence and a recess. As such they teach that the latch reciprocal may be either a prominence, a recess or both if desired. It would have been obvious to one of ordinary skill in the art, at the time of invention to provide the device taught by Woodruff et al. and Tianello et al. with a prominence on the hub as taught by Dodd et al. in as an obvious design choice

over the recess in the hub, said choice having the same expected results as the Woodruff et al. teaching.

Claim 14 rejected under 35 U.S.C. 103(a) as being unpatentable over Woodruff et al. and the admitted prior art as applied to claim 13 above, and further in view of Dodd et al. Woodruff et al. and the admitted prior art teach the limitations of claim 13 as above, they do not teach a latch reciprocal prominence as being on the hub. Dodd et al. teach a rotatable carousel for retaining objects wherein said carousel and said objects both have latch reciprocals that consists of a prominence and a recess. As such they teach that the latch reciprocal may be either a prominence, a recess or both if desired. It would have been obvious to one of ordinary skill in the art, at the time of invention to provide the device taught by Woodruff et al. with a prominence on the hub as taught by Dodd et al. in as an obvious design choice over the recess in the hub, said choice having the same expected results as the Woodruff et al. teaching.

Response to Amendment

The amendment to the claims filed on January 27, 2006 have been entered into the record.

Response to Arguments

Applicant's arguments filed February 2, 2006 have been fully considered but they are not persuasive. Regarding the term "unitary" the applicant is directed to In re Larson 144 USPQ §347. The word integral is deemed to define any assembly as a unitary whole so long as the parts are fastened together in some manner. As such unitary merely means a whole object, and not a single piece of material making up that

object. As such the courts have held that it is an obvious design choice to substitute a single piece of material for a plurality of parts making up a unitary structure. As such the woodruff et al. reference meets the base meaning of the claims in question. The secondary reference of Tianello et al. is applied only as a teaching of a single piece unitary hub. As the two hubs are held to be equivalent design choices one of ordinary skill in the art would have thought of applying the hub taught by Tianello et al. to the device taught by Woodruff et al.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles A. Fox whose telephone number is 571-272-6923. The examiner can normally be reached between 7:00-4:00 Monday-Thursday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eileen D. Lillis can be reached at 571-272-6928. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



EILEEN D. LILLIS
SUPERVISORY PATENT EXAMINER
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